

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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KONG PHENG VUE,

Plaintiff,

v.

STATE OF WISCONSIN,

Defendant.

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ORDER

12-cv-441-bbc

Plaintiff Kong Vue has requested leave to proceed *in forma pauperis* in this civil action for monetary relief. From the affidavit of indigency accompanying plaintiff's proposed complaint, I cannot determine whether he qualifies for indigent status. First, plaintiff's affidavit is more than five months old, dated January 19, 2012. Furthermore, in his affidavit, plaintiff states that he is unemployed and has no income. Plaintiff says he has no monthly expenses, such as rent or other financial obligations, but plaintiff does not include information as to how he is able to pay or who is paying for his basic living expenses such as food, clothing and shelter. Without such information, I am unable to conclude that plaintiff qualifies for indigent status. Therefore, I will provide plaintiff with the opportunity to supplement his request for leave to proceed *in forma pauperis* by completing the enclosed affidavit of indigency. In completing the affidavit, he should take care to show how he pays for his basic necessities and make sure the affidavit contains his actual gross monthly income from all sources for the last twelve months.

Finally, I note that in his complaint, plaintiff appears to be alleging that he is being repeatedly sexually assaulted by unknown assailants in his own bed in his own home at night, leaving unknown substances in his new pillow. Looking past the fantastical nature of these allegations, the court can only urge plaintiff promptly to report these assaults to law enforcement authorities if hasn't already done so.

ORDER

IT IS ORDERED that a decision whether plaintiff Kong Vue may proceed *in forma pauperis* in this action is STAYED. Plaintiff may have until July 25, 2012, in which to amend his affidavit of indigency and return it to the court. Plaintiff should take particular care to show where he receives the means to pay for his basic necessities, such as food, clothing and shelter. If plaintiff fails to provide this requested financial information in a timely fashion, then the court will deny his request for leave to proceed *in forma pauperis* for failure to show that he is indigent.

Entered this 27<sup>th</sup> day of June, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge